

### REMARKS

Claims 83, 86-94, 96, 97, 99, 101-103, 105-109, 113, 116, 117, 119-124, 126, 128-130, 133-136, 140, 141 and 152-179 are pending, with claims 83, 113, 117, 141, 152, 159, 161, 164, 168-172 and 176 being independent. Claims 83, 86-88, 96, 97, 101, 103, 105, 106, 113, 117, 130, 135, 141, 152, 159, 161, 164 and 165 have been amended, claims 104, 131 and 132 have been canceled, and claims 166-179 have been added. No new matter has been introduced.

The claim amendments are largely for clarification and consistency. In addition, each of claims 83 and 113 has been amended to remove the recitation that the channel coding means includes spreading factor generation means for generating a spreading factor related to the data rate of the data part, and this recitation now appears in dependent claims 166 and 167.

New independent claims 168-171 correspond to amended independent claims 83, 113, 117 and 141, respectively, without the recitation that each of the spreading codes is selected on the basis of a data rate of each data part and the control part and the spreading codes are selected so that two consecutive pairs of the I and Q data are correspondent to two points located on the same point or symmetrical with respect to a zero point on a phase domain. New independent claims 172 and 176 correspond to independent claims 168 and 169, but include elements that are not recited in means-plus-function format.

During a telephone interview with the Examiner and Applicants counsel on June 13, 2005, it was agreed that the dependency of claim 116 was changed to 113 since claim 115 had been cancelled. Claim 116 reflects the change in the instant amendment.

Applicant submits that all claims are in condition for allowance.

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Enclosed is a \$595 check (\$395 for the Request for Continued Examination fee and \$200 for excess claims fees). Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 9/21/05

  
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